



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Khaleel

Attorney Docket No.: NWISP049

Application No.: 10/775,974

Examiner: LAU, TUNG S.

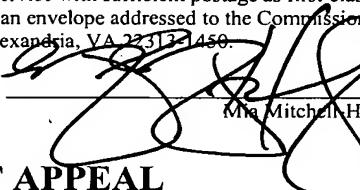
Filed: February 9, 2004

Group: 2863

Title: HISTOGRAM PERFORMANCE  
COUNTERS FOR USE IN TRANSACTION  
LATENCY ANALYSIS

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on November 22, 2005 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: 

Mrs. Mitchell Haynes

**NOTICE OF APPEAL**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed November 1, 2005 finally rejecting Claims 1-33 and 35-46.

The item(s) checked below are appropriate:

Appeal Fee:  \$250.00 (Small Entity)  \$500.00 (Large Entity)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply:

Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR

1.17(a)-(d)) for the total number of months checked below:

<u>Months</u>	<u>Large Entity</u>	<u>Small Entity</u>
<input type="checkbox"/> one	\$120.00	\$ 60.00
<input type="checkbox"/> two	\$450.00	\$225.00
<input type="checkbox"/> three	\$1,020.00	\$510.00

If an additional extension of time is required, please consider this a petition therefor.

An extension for        month(s) has already been secured and the fee paid therefor is deducted from the total fee due for the total months of extension now requested.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**Total Fee Due**

**Notice of Appeal Fee** \$500.00  
**Extension Fee (if any)** \$

Total Fee Due \$500.00

Enclosed is Check No. 11293 in the amount of \$500.00

Charge any additional fees or credit any overpayment to Deposit Account No. 500388, (Order No. NWISP049).

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP

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